IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPLICATION NO.690 OF 2007
IN
CRIMINAL APPEAL NO.548 OF 2007

1.Mahadev Baba Kare
2. Dilip Mahadev Kare
3. Tatyaba Mahadev Kare ..Applicants.
Vs.
The State of Maharashtra ..Respondent.

Mr.R.S.Kate, adv. for the Applicants.
Mrs.V.R.Bhosale, APP for the Respondent/State.

CORAM : J.H.BHATIA, J.
DATE : JUNE 25, 2007.

P.C.

1. Heard Mr.Rahul S. Kate the learned counsel for the applicants and Mrs.Bhosale the learned APP for the State.

2. By this application, the applicants, who are original accused nos.3,4 and 5 seek to be released on bail pending their appeal against the conviction and sentence under Sections 324, 325 r/w.149 and under Sections 147, 148, 149 of the I.P.C. Maximum sentence of R.I. for 5 years with fine was awarded for the offence punishable under Section 325 read with Section 149 of the I.P.C. It appears that the applicants and some other accused were put to trial for the offences punishable under Sections 302 and 307 of the I.P.C. However, they were convicted for the lesser offence. They are in jail since 14-4-2005 and thus, they have

undergone sentence of more than 2 years so far. In similar circumstances, accused nos. 1 and 2 were granted bail by this Court in Criminal Application No.625 of 2007 by order dated 12th June, 2007. On the principle of parity, the applicants also deserve to be granted bail.

3. The applicants are granted bail in the sum of Rs.10,000/- each with surety in the like amount subject to their depositing fine amount.

[J.H.BHATIA, J.]